

IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA,

HON. SUSAN D. WIGENTON

*Civil Action No. 2:09-cv-1303*

*Plaintiff,*

MATTHEW HULL, ET AL.,  
CERTIFICATION OF SPENCER B.  
ROBBINS, ESQ.

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*Defendants.*

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I, Spencer B. Robbins, being of full age, hereby certifies, as follows:

1. I am Attorney At Law of New Jersey and I represent Matthew Hull, his wife, Michelle and Aaron Hull, Matthew's brother, and I recently substituted into this matter from the previous attorney, Bill Ward, Esq. and slowly getting up to speed on the history of this matter.
2. I am opposing the application of the U.S. Government on their motion and submitting a cross-motion to reconsider rulings by your Honor on this matter because I believe there is new evidence and new expert opinions on the status of this property.
3. I now understand that I am late into this game. I did not receive the file from the previous attorney and was representing the Hulls on another matter when I got involved in this case. Accordingly, I was not aware of the Summary Judgment ruling and the Consent that was entered into this matter.
4. Before learning of the Summary Judgment Ruling and Consent, I met with the Hulls and Joseph Grabas, an expert in title issues. I thought by simply reviewing the records and back title with fresh eyes, I would be ready to respond to the claims of ownership and resolve the open

disputes.

5. Before appearing for a Case Management conference recently, I received a preliminary expert report from Mr. Grabas, which declared that the Hulls are the true property owners of Old Mine Road, which is part of their owned property.

6. The report is clear, concise and straightforward and provides an explanation as if a title search was done on the property.

7. My understanding of the motion for summary judgment did not include expert testimony or a report from an expert on the ownership of the property.

8. Defendants respectfully request that in an effort to quiet title on this issue presented in this case, that the court consider vacating its prior Judgment and allow a plenary hearing on the issue of ownership.

9. After the case management conference I was provided with your Honor's opinion and the consent from the Defendants. After speaking with my clients they inform me that they requested an appeal to present more factors and none was done.

10. I am respectful of the fact that the matter was decided by the Court five (5) years ago, but in an effort to provide the defendants with some clarity, I make the request above.

11. As to the issues of not resolving all issues after your Honor's ruling, I am advised that a survey was to be provided. Based on information and belief, the survey was provided approximately a year later and then had numerous mistakes. In fact, my clients provided me with a list of issues with the survey, a copy of which is attached. The list shows numerous problems with errors on the survey or missing information. The survey issue was not resolved and Joseph Grabas's report speaks to those issues.

12. Other issues that come about is that there is a well that my client's use under the roadway.

There is also a septic field under the roadway. The roadway is 33 feet wide, but the government was only taking 22 feet. Liability for problems that would occur are not provided, besides lot and block and particular metes and bounds measurements.

13. I have wondered about the need for the government to possess or use the road in that all of the land on both sides of the road is private property owned by the Hulls.

14. As to the consents, my clients were advised that if they did not consent to certain issues, they faced incarceration, making them feel coerced into accepting certain conditions.

15. Based on information and belief, my clients are not blocking the roadway presently. They are not being obstinate, they simply believe that taking of their land without compensation, especially when they do not believe anyone has a right to their land.

16. I understand that I am asking much by requesting a vacation of the Order that the government owns a portion of Old Mine Road running through their property. But if a plenary hearing could be done showing the actual ownership, value and rights, I believe the matter would be finished.

17. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: November 28, 2017

Spencer B. Robbins  
Spencer B. Robbins, Esq.